

JW SSS FILED 14 2008

1 COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT 42 U.S.C §§ 1983  
23 Name Kozlowski Matthew M  
4 (Last) (First) (Initial)CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA5 Prisoner Number P820556 Institutional Address Hole Creek State Prison, P.O. Box # 409020  
7 IONE, CA. 95640-900

JW

8  
9 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
10

(PR)

11 Kozlowski Matthew

(Enter the full name of plaintiff in this action.)

12 vs.

13 Charles D. Lee &14 Robert Bowman)

CV

08

0954

Case No.  
(To be provided by the clerk of court)COMPLAINT UNDER THE  
CIVIL RIGHTS ACT,  
42 U.S.C §§ 1983

E-filing

16 (Enter the full name of the defendant(s) in this action))

17  
18 *[All questions on this complaint form must be answered in order for your action to proceed.]*19 I. Exhaustion of Administrative Remedies20 [Note: You must exhaust your administrative remedies before your claim can go  
21 forward. The court will dismiss any unexhausted claims.]22 A. Place of present confinement Hole Creek State Prison

23 B. Is there a grievance procedure in this institution?

24 YES  NO 25 C. Did you present the facts in your complaint for review through the grievance  
26 procedure?27 YES  NO 28 D. If your answer is YES, list the appeal number and the date and result of the  
ANSWER 05-03383

COMPLAINT

- 1 -

1 appeal at each level of review. If you did not pursue a certain level of appeal,  
 2 explain why.

3 1. Informal appeal LOG number 05-03383 Date 9/10/05

4 Denied at informal level

5 2. First  
 6 formal level LOG number 05-03383 Date 11/7/05

7 Partially Granted at First level

8 3. Second formal level LOG number 05-03383 Date 2/24/06

9 Partially Granted at second level

10 4. Third  
 11 formal level LOG number 05-03383 Date 6/18/06

12 Denied at third level

13 E. Is the last level to which you appealed the highest level of appeal available to  
 14 you?

15 YES  NO ( )

16 F. If you did not present your claim for review through the grievance procedure,  
 17 explain why.

22 II. Parties

23 A. Write your name and your present address. Do the same for additional plaintiffs,  
 24 if any.

25 Matthew Korbuski 882055

26 Hule Creek State Prison  
P.O. Box #409020

27 FOXE, Ca-95640-9000

28 B. Write the full name of each defendant, his or her official position, and his or her

COMPLAINT

1 place of employment.

2 charle D. Lee cheif medical at salinas Valley Prison.3 Robert Bowman Doctor at salinas Valley Prison

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III.

## 7 Statement of Claim

8 State here as briefly as possible the facts of your case. Be sure to describe how each  
9 defendant is involved and to include dates, when possible. Do not give any legal arguments or  
10 cite any cases or statutes. If you have more than one claim, each claim should be set forth in a  
11 separate numbered paragraph.12 Both Defendants charles D. Lee & Robert Bowman are  
13 directly involved in this suite - They both saw me medically  
14 From 6/6/05 TO 11/1/05 & I have paperwork as proff. Point is  
15 I was left in a cell for over 5 1/2 months with a huge hole  
16 in my calf 1inch by 2 inches with 2 chips of bone coming out  
17 my leg. From the beginning of the defendants seeing me they  
18 both knew I had osteomyolites in my calf & it had been  
19 recommended that I be given IV antibiotic treatment by other  
20 doctors who had seen me. Both Defendants were in charge of my medical care.  
21 Since I was not given treatment  
22 until 5 1/2 months after the diagnosis was made the infection soaked  
23 in so deep that I had to have surgery. & the Doctor who did the  
24 surgery said he cut out as much bone as he could with out amputating  
my leg & I still might have to have it amputated in the Future.  
I am filing under cruel & unusual punishment, & Deliberit ENDifference.  
violation of 8TH Amendment

## 25 IV. Relief

26 Your complaint cannot go forward unless you request specific relief. State briefly exactly  
27 what you want the court to do for you. Make no legal arguments; cite no cases or statutes.28 I would like to be awarded the amoun \$1,000,000, & would

COMPLAINT

1 like a letter of apology from defendants.  
2  
3  
4  
5  
6

7 I declare under penalty of perjury that the foregoing is true and correct.

8  
9 Signed this 17 day of February, 2005

10  
11 Kozlowski Matthew  
12 (Plaintiff's signature)